

EXHIBIT 4

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3

4 RUBEN JUAREZ, an individual and) CASE NO.
ISELA HERNANDEZ, an individual,) CV17-03342-ODW(GJSX)
5)
Plaintiffs,)
6)
vs.)
7)
8)
PRECISION VALVE & AUTOMATION,)
9 INC., a corporation and DOES 1-20,)
Defendants.)
10)
11
12
13

14 VIDEO-RECORDED DEPOSITION OF
15 RUBEN JUAREZ
16 VOLUME II
17 Burbank, California
18 Thursday, March 15, 2018
19
20

21 Reported By:
22 Elizabeth Schmidt
23 CSR No. 13598
24
25 PAGES 165 - 343

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1 A I don't remember.

2 Q Ten years ago? 20 years ago?

3 A I can't tell you exactly what date.

4 Q What estimate?

5 A I cannot estimate the date.

09:04:58

6 Q Can you estimate the decade?

7 A Decade. No.

8 Q Okay. Is your wife and your daughter an
9 American citizen?

10 A They are.

09:05:16

11 Q Do you know when they became an American
12 citizen?

13 A My wife, no.

14 Q Daughter? Was she born in this country?

15 A When she was born.

09:05:24

16 Q Okay.

17 Did SpaceX give you any written instructions
18 for how to do your job?

19 A Did SpaceX -- when?

20 Q At any time.

09:05:35

21 A Not that I can remember.

22 Q What are SOPs?

23 A SOP. No idea.

24 Q What are standard operating procedures?

25 A I have no idea.

09:05:54

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1 A So you're saying the title of this is
2 procedure for polymeric assemblies on electronic
3 assemblies. I don't see anywhere here on these three,
4 just looking by -- judging by the pages, the front
5 pages, I don't see anywhere does it say SMT.

09:15:33

6 Q Could you get in trouble if you did not
7 follow SpaceX's instructions?

8 MS. LI: Vague and ambiguous. Go ahead.
9 Hypothetical.

10 THE WITNESS: Can I get in trouble? I never

09:15:48

11 got in trouble; so I don't know. I actually was
12 recommended to get a raise pay a couple times, and I
13 was recommended to get a promotion. Actually, I was
14 offered a promotion before I went off on disability.

15 BY MR. CATALONA:

09:16:13

16 Q So if you didn't follow their instructions,
17 you wouldn't get in trouble?

18 A I didn't say that, sir.

19 Q Well, then what is it?

20 A I said I don't know.

09:16:22

21 Q You don't know if you could get in trouble
22 if you didn't follow their instructions?

23 MS. LI: Objection. Asked and answered,
24 harassing the witness.

25 THE WITNESS: I just told you I never got in

09:16:31

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1 A Yes.

2 Q What is a workcell?

3 A I don't know what they mean about that.

4 Q Did you ever call the machine a workcell?

5 A Not the machine, no.

09:41:50

6 Q Okay. Do you see that it says:

7 "If the equipment is used in a
8 manner not specified by PVA, the
9 protection provided by the
10 equipment may be impaired."

09:42:05

11 A Which paragraph?

12 Q The paragraph that's in bold and has a big
13 exclamation point next to it.

14 A Oh. Yes.

15 Q Okay. Turn to page 45. I'm going to talk

09:42:19

16 about the operating safety section. Do you see that?

17 A Yes.

18 Q It says:

19 "Basic safety practices are
20 reviewed. The safety devices and

09:42:40

21 guarding for the workcell are
22 described."

23 Are you familiar with that section?

24 A No.

25 Q Do you see -- let's turn to page 52. Do you

09:42:49

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1 warnings on the packaging.

2 A Not that I can remember, no.

3 Q Okay. Did the HumiSeal products come with
4 any written materials?

5 A Did the HumiSeal come with written

09:58:44

6 materials. What do you mean by that? Can you re-word
7 the question. You mean, like, a paper?

8 Q Yeah.

9 A Those are -- they're shipped to our
10 warehouse, SpaceX warehouse, and then they deliver to

09:59:00

11 the room. I never seen a paper come with it.

12 Q Okay. You don't need to explain everything.

13 A I have to backtrack on my memory.

14 Q Did the Arathane products come with any
15 written materials?

09:59:18

16 A Same answer.

17 Q Which is what?

18 A I just told you the answer. It comes to the
19 warehouse and the warehouse delivers to our storage
20 area, then that's it.

09:59:23

21 Q So you've never seen any written materials
22 that came with the HumiSeal products or the Arathane
23 products; is that true?

24 A Correct, sir.

25 Q Did anyone at SpaceX have any headaches or

09:59:35

1 BY MR. CATALONA:

2 Q Well, tell me.

3 A Tell you what?

4 Q All the ways you were exposed to Arathane
5 products at SpaceX.

10:02:57

6 A Okay. First of all, I'm not a chemist;
7 right? So I don't know what other compounds or
8 chemicals are used there that have Arathane or what
9 the chemical composition is.

10 Q I'm just asking what you know. I'm not

10:03:16

11 asking what other people know that you don't know.

12 A I'm trying to tell you. You're telling me
13 about a certain product; right?

14 Q Let me re-ask the question. Tell me all the
15 ways that you know you were exposed to Arathane

10:03:29

16 products at SpaceX.

17 A Just by programming the machine.

18 Q And you already explained that in the last
19 deposition; right?

20 A No. You never let me explain it. You were

10:03:41

21 keeping arguing. So you're telling me how did your --
22 if I remember correctly, you're saying well, how was
23 it that you were unable to check a board with a
24 blacklight from outside seeing that the machine has
25 windows in it; right? I remember something like that.

10:04:03

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1 order for me to be certain that the coverage is
2 100 percent, I have to stick my head in there to
3 verify that all components are completely covered and
4 meet their specifications.

5 Now, are you familiar with the shadow
10:05:52

6 effect, Mr. Catalona? If you're not, I'm going to
7 explain to you. Whenever you're -- this is an object.
8 Okay? Mr. Catalona, are you looking? Or I'm just
9 talking?

10 Q Sir, you're not answering the question.
10:06:06

11 MS. LI: Is the camera showing this?

12 THE WITNESS: So this is a shadow effect;
13 right? When the light goes to a part, you have a
14 shadow. Always you have a shadow. Okay? So that
15 shadow, it has to be completely covered. In order for

10:06:24

16 me to be certain that the shadow effect is avoid or is
17 completely covered, you have to look from different
18 angles. Okay?

19 So you cannot from outside get a blacklight
20 and shoot the light beam at a board and be certain

10:06:43

21 that you have 100 percent coverage. There is no way
22 possible. Even if it is nothing but air between you.

23 Now, when you forget your keys at your car
24 and then you don't know if they're inside your car or
25 outside your car, what do you normally do,

10:07:05

1 Mr. Catalonia? You do this. You try to put your hands
2 around your face to get away from the glare; right?
3 Because you cannot see it. The reflection of the
4 light doesn't allow you to see 100 percent. So what
5 you do? You cover -- you put your hands around and
10:07:22

6 you cover. Even with that, you are not able to see.

7 Q Did you get any training with the PVA350 in
8 San Diego?

9 A No. Now you understand, Mr. Catalonia?

10 Q What training did you get with the PVA350 in
10:07:41

11 New York?

12 A That was not 350.

13 Q What training did you get with any PVA
14 equipment in New York?

15 A Training on programming.

10:07:54

16 Q And do you remember the number of that PVA
17 machine?

18 A I believe that was 650.

19 Q Were there any written materials for that
20 training?

10:08:04

21 A Not that I can remember, no.

22 Q Do you have any written materials from your
23 time doing that training?

24 A You mean at home or at work or where?

25 Q Well, let's first ask at home.

10:08:19

1 Do you have any documentation from your
2 actual training at PVA in 2011?

3 A What do you mean by "documentation"?

4 Q Like instructions, manuals, sheets that they
5 gave you to teach you things.

10:13:27

6 A Mainly all the training was done was
7 hands-on.

8 Q You said "mainly."

9 A That I remember.

10 Q So I was asking about written materials.

10:13:41

11 Was there any?

12 A I don't remember.

13 Q Okay. That's fine. And I've handed you an
14 exhibit, Exhibit 25.

15 (Exhibit 25 was marked for identification.)

16 BY MR. CATALONA:

17 Q Does that exhibit show when you went to PVA
18 for this training?

19 A To the best of my recollection, that's the
20 dates.

10:14:09

21 Q Okay.

22 A Those are the dates.

23 Q Have you ever had any training anywhere
24 regarding working with hazardous chemicals?

25 A No. Not that I remember, no.

10:14:20

1 A If I remember correct to the best of my
2 recollection was that I called Francisco to get a --
3 we went over this before in our last deposition,
4 Mr. Catalona. I called Francisco to requesting him
5 that I didn't know what kind of alcohol were used on
10:17:01

6 the wash area. And I don't know whether he provide me
7 the rest of the chemicals or I ask him. I don't know
8 how the conversation came about. So he gave me --
9 like I say, I don't know how that came about. So he
10 gave me the list of materials, I requested it from HR
10:17:24

11 department.

12 Q Why did you request the MSDS sheets for
13 these materials?

14 MS. LI: Asked and answered.

15 THE WITNESS: Like I said, per my
10:17:41

16 conversation with Francisco, I'm not quite sure if he
17 offered or I requested him; so he gave me the list,
18 and I forward over to -- to Jane.

19 BY MR. CATALONA:

20 Q Why?

10:18:01

21 MS. LI: Same objection. Go ahead.

22 THE WITNESS: Because it was given to me.
23 So I wanted to get the MSDS.

24 BY MR. CATALONA:

25 Q Why? Why did you want the MSDS?

10:18:09

1 A To find out what's going on. To be able to
2 provide it to my attorney at workers' compensation.

3 Q And why did you want to provide the MSDS to
4 your attorney at workers' compensation?

5 A For them to investigate what, if anything,
6 10:18:27

7 had occurred with these chemicals.

8 Q And what did you think had occurred?

9 A I don't know. I don't speculate. That's
10 why I hire an attorney, because I don't know.

11 Q Why did you wait until March 2015 to ask for
12 10:18:48

13 the MSDS sheets?

14 A When I first started getting sick,
15 Mr. Catalona, my main goal was to get better. I am
16 trained as an engineer. Your mind-set is to think
17 about not what already had happened but a containment
18 10:19:14

19 action and probably looking down the road, see what
20 had occurred to you.

21 Because I was a healthy person. And all of
22 a sudden for no reason, I became sick. So it had to
23 be a reason. It couldn't be just because of no
24 10:19:33

25 reason. Everything has a explanation in this life.

26 Q I'm sorry, sir. That didn't answer the
27 question.

28 A It did.

29 Q I just asked why you waited until
30 10:19:43

1 March 2015.

2 A In the meantime, I was looking -- I was
3 focused on getting better. There's no other answer.

4 Q Okay. So you delayed because you weren't
5 paying attention to it because you were focusing on

10:20:00

6 getting better?

7 A I was focusing to get my health to
8 100 percent so I would be able to return back to work.
9 When you're sick, Mr. Catalona -- I don't know if you
10 understand when you're sick --

10:20:17

11 Q There's no question pending. You're arguing
12 with me.

13 A No, I'm not arguing with you, sir.

14 Q Please don't argue with me.

15 A Are you --

16 Q I move --

17 (Simultaneous crosstalk.)

18 BY MR. CATALONA:

19 Q Don't argue with me.

20 A I'm not arguing with you.

10:20:26

21 Q Yes, you are.

22 A I'm trying to explain to you you've never
23 been on a traumatic event.

24 Q Look, we can't argue like this, sir.

25 A I'm not arguing with you.

10:20:34

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1 Q You are.

2 A I'm trying to explain -- you're asking me a
3 question. Why did you wait until this time; right?
4 Was that the question? Yes or no, Mr. Catalona?

5 Q Don't argue with me.

10:20:44

6 A You're saying why did you --

7 MR. CATALONA: This is improper. You need
8 to instruct your client --

9 THE WITNESS: -- why did you wait until
10 this --

11 (Simultaneous crosstalk.)

12 MS. LI: Can we take a break?

13 MR. CATALONA: Yeah.

14 THE VIDEOGRAPHER: We are off the record at

15 10:19 A.M.

10:20:55

16 (A recess was taken.)

17 THE VIDEOGRAPHER: We are back on the record
18 at 10:21 A.M.

19 THE WITNESS: Can we go back a little bit on
20 this, Mr. Catalona.

10:22:58

21 BY MR. CATALONA:

22 Q No. We're done with this.

23 Do you know whether PVA had any samples of
24 the chemicals that were going to be sprayed at SpaceX?

25 A I don't know that.

10:23:07

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1 Q Any other reason that you think that any
2 chemicals were a factor in your development of
3 headaches or other symptoms?

4 A Well, at first, when I started workers'
5 compensation claim, at first I thought alcohol was the
10:26:10

6 cause of my problems. Alcohol and solder wire. Later
7 down the road, I find out it was lead-free solder wire
8 used. And that's how it came about that I asked
9 Francisco for the MSDS and he provided the rest of the
10 chemicals. And those MSDS, I sent it over to my
10:26:40

11 attorney so he can investigate furthermore.

12 So to answer your question, yes, that I
13 remember right at the top of my head, there were
14 three -- at least three doctors that linked my
15 symptoms to a chemical exposure.

10:27:04

16 Q Do you have any other reasons to think --
17 strike that.

18 Other than these three doctors, are there
19 any other reasons that cause you to connect your
20 headaches and other symptoms to chemical exposure?

10:27:18

21 A I don't want to speculate. I don't know.

22 Q Okay.

23 When did you first meet your attorney for
24 this case, Teresa Lee?

25 MS. LI: Objection. Attorney-client

10:27:31

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1 BY MR. CATALONA:

2 Q I've handed you Exhibit 28.

3 A Yes.

4 Q This is the document that offered you the
5 job at SpaceX; right?

10:33:18

6 A That's what it says.

7 Q On page 322, that is your signature; right?

8 A Yes, sir.

9 Q Okay. Please give me that back.

10 (Exhibit 29 was marked for identification.)

11 BY MR. CATALONA:

12 Q This is a history and physical dated
13 March 14, 2013. Do you see that it says that you had
14 coil embolization for nonruptured ACA aneurysm?

15 A Where does it say that, Mr. Catalona? Which
10:34:14

16 paragraph?

17 Q The first paragraph.

18 A Oh, yeah.

19 Q It indicates that that procedure was done in
20 January 2013. Do you see that?

10:34:31

21 A Yes, sir.

22 Q When do you remember having that done?

23 A What done?

24 Q The procedure.

25 A The --

10:34:43

1 Q Have you ever had medical treatment for
2 breathing problems.

3 A The toxicologist recommend to use a spray.

4 Q Have you ever used a spray?

5 A Yes.

10:37:51

6 Q When did you start using a spray?

7 A After I saw the toxicologist. I don't
8 remember what date.

9 Q Is that listed on this list of medications
10 that you gave us?

10:38:05

11 A No.

12 Q When was the last time you used the spray?

13 A I use it from time to time but not that
14 often.

15 Q I'm marking your list of medications as

10:38:18

16 Exhibit 31.

17 (Exhibit 31 was marked for identification.)

18 BY MR. CATALONA:

19 Q Has anyone ever told you why you're taking
20 this spray?

10:38:31

21 A To clear my airways.

22 Q And has anyone ever told you what medical
23 problem you have that causes you to take the spray?

24 A Not precisely, no.

25 Q Has anyone ever told you --

10:38:52

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1 A I take that back. I also use a nasal spray
2 to clean out my airways, too.

3 Q Other than the nasal spray and the --

4 A Inhaler.

5 Q -- inhaler, have you ever had any medical
10:39:10

6 treatment for breathing problems?

7 A Prior to me working with SpaceX, no, not
8 that I remember.

9 Q How about after you started working with
10 SpaceX?

10:39:20

11 A I started, yes, some problems. But they
12 were not -- they were not able to pinpoint what causes
13 it.

14 Q I didn't ask that. I asked other than the
15 nasal spray and the inhaler, have you had any medical
10:39:34

16 treatment for breathing problems at any time before or
17 after you started working at SpaceX.

18 A Not that I can remember, no.

19 Q Please don't talk over me. Okay? Please
20 wait until I'm finished with my question.

10:39:48

21 And has anyone ever told you why you're
22 using the inhaler or the nasal spray?

23 A I just answered your question, Mr. Catalonia.

24 Q I didn't hear that.

25 A Well, can we ask the court reporter to read
10:40:12

1 A Yes.

2 Q You stated you were not given any training
3 on how to use the equipment; correct?

4 A Yes.

5 Q The question was were you given any --

11:05:53

6 strike that.

7 The question was, "Were you given any safety
8 training," and the answer was "no"; is that correct?

9 A Correct.

10 Q The question was, "Were you told that the

11:06:02

11 chemicals are dangerous/hazardous," and you circled
12 the word "no"; is that correct?

13 A Correct.

14 Q And you wrote that the size of your work
15 area at first was 20 feet by 10 feet and later it was

11:06:16

16 30 feet by 15 feet; correct?

17 A Yes.

18 Q Then why did you file a workers'
19 compensation claim for toxic exposure?

20 A Referring to your Exhibit 32?

11:06:51

21 Q Not necessarily. I just want to know why
22 you filed your workers' compensation claim for toxic
23 exposure.

24 A At first, as I explained to you in our last
25 meeting, a wash area was installed right next to my

11:07:05

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1 computer station. So I thought the chemicals were
2 used in that bath for wash area to wash electronic
3 devices, PCBAs and PCBs, and the solder wire was used,
4 I thought that was the cause of my problems.

5 Q And --

11:07:34

6 A I later find out that it was only alcohol
7 being used to wash those parts and also it was a
8 lead-free solder wire used to -- in that bath wash.

9 Q And those parts were being soaked in those
10 bath -- what do you call them, bathtubs?

11:07:54

11 A It's similar, yeah.

12 Q And they were being soaked so they could be
13 cleaned?

14 A I don't know. I don't know what they did to
15 them. I guess that's what they did, yes. Like I say,

11:08:10

16 I didn't pay much attention of -- my main focus was to
17 do programming, not to see what they were doing with
18 that.

19 Q Did you get your aneurysm and headaches
20 after you were exposed to different chemicals at

11:08:28

21 SpaceX?

22 A Can you re-word the question for me, please.

23 Q What did you not understand about it?

24 A I didn't understand the time.

25 Q Did you get your aneurysm after you were

11:08:43

1 had been working in a toxic work environment at
2 SpaceX?

3 A I don't remember.

4 Q So it was after you stopped working there?

5 A I don't remember.

11:33:26

6 Q Was it during your workers' compensation
7 claim?

8 A Again, I don't remember. I mean, it's got
9 to be a reason for a healthy person to go just from
10 being healthy, nothing wrong with them, then just to

11:33:41

11 go and being in the emergency room all the time.
12 There's got to be a reason. I mean, things doesn't
13 happen for no reason.

14 Q And you thought the reason was it was a
15 toxic work environment.

11:33:55

16 A I didn't know what was the reason, sir.

17 Q You didn't think it was because you were in
18 a toxic work environment?

19 A Like I said, I was under the assumption that
20 PVA and SpaceX, there were nothing wrong with it. I

11:34:08

21 have no reason to speculate otherwise.

22 Q At some point, you probably said you know
23 what, I think that I was working in a toxic work
24 environment. Right?

25 A Again --

11:34:22

1 asking me when did you learn? Did you think now?

2 Q Yeah. Did you know now?

3 A Do you think after reading the MSDS, I know
4 that there is -- that I was exposed to chemicals that
5 I shouldn't have been exposed to?

11:38:51

6 Q Yeah. When did you first learn that you
7 were working in a toxic work environment?

8 A I request -- you're going to let me answer
9 or you just going to keep doing this? I request the
10 MSDS from SpaceX. Right? You asked me that question.

11:39:08

11 After I request it, I forward those MSDS to my
12 attorney, to my workers' compensation attorney. They
13 did the digging. They tried to figure out the
14 investigation. I don't have a degree in chemistry. I
15 don't know what all those chemicals were.

11:39:32

16 Then they find out the baths were only
17 alcohol and lead-free solder. Okay? So that's --
18 when I received those MSDS, I didn't even open it. I
19 forwarded that to my attorney. Afterwards, I read
20 about it and I start to read about the MSDS, but that

11:39:53

21 was after I received the MSDS. And I did send it, if
22 you see the e-mails, I requested it, the MSDS.

23 Q So you're saying you first learned that you
24 were working in a toxic work environment after you
25 requested the MSDS.

11:40:13

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1 A I suspected there was the bath wash
2 installed right next to me. You keep shaking your
3 head. You were not me, Mr. Catalona. You --

4 Q I'm just trying to get an answer to that
5 question.

11:40:30

6 A Listen. There's no black and white. You
7 don't wake up and one day you say gee, you know what,
8 I think today I feel like I'm going to know. It's a
9 process. It's a process. Do you work in a process,
10 Mr. Catalona, or would you just start --

11:40:46

11 Q Can I ask a question, please? Okay. So
12 when was it that you finally knew?

13 A After -- a few months after I received the
14 MSDS from SpaceX.

15 Q Okay. So you received the MSDS from SpaceX

11:41:01

16 in March of 2015.

17 A I don't remember the date. I don't know the
18 date.

19 MR. CATALONA: Can I have the exhibits back.
20 Are these all of them?

11:41:23

21 THE WITNESS: Are we finished with this,
22 Mr. Catalona?

23 BY MR. CATALONA:

24 Q Maybe not. Hold on. Here is Exhibit 26.

25 At the bottom of the page, it shows that you requested

11:41:32

1 the MSDS on March 3, 2015. Do you agree?

2 A That's what it says here.

3 Q Okay. So you found out that you were
4 working in a toxic work environment at some point
5 after March 3, 2015; correct?

11:41:55

6 A Sometime after, yes.

7 Q Okay. Who is Mike Lynch?

8 A Mike Lynch is the HR -- director of HR. He
9 was. I don't know. It's a high turnover with SpaceX.

10 Q So Mike Lynch is the HR director or was the

11:42:23

11 HR director at SpaceX; correct?

12 A I don't know at this time. I don't know his
13 title.

14 Q Mike Lynch was the HR director at SpaceX
15 when you worked there; correct?

11:42:40

16 A I never met the person. I don't know what
17 his title was.

18 Q Okay. Let me -- Mike Lynch worked at HR at
19 SpaceX when you worked there; correct?

20 A No. Not that I know.

11:42:51

21 Q I thought you just said that.

22 A No, no. I learned via communication e-mails
23 that he was Mike Lynch. The main person, my contact
24 person was another HR, I don't know if personnel or
25 whatever. Afterwards, I came to find out about Mike

11:43:12

1 last session of your deposition. Remember that?

2 A No. But if you say, yeah.

3 Q For the second conformal coating room, I
4 asked you about the equipment that was in that
5 conformal coating room, and you said you purchased a
12:17:22

6 air filtration system.

7 A Yes.

8 Q Okay. And did you have to get approval from
9 anyone to purchase the air filtration system?

10 A I just turn in the work order. I mean the
12:17:37

11 purchase order.

12 Q And that air filtration system was in the
13 conformal coating room 2; correct?

14 A That's correct.

15 Q Okay. And why did you purchase a air
12:17:49

16 filtration system for conformal coating room 2?

17 A To get rid of the smell.

18 Q And what was wrong with the smell?

19 A It bothers. It's annoying.

20 Q So let me read this again.

12:18:20

21 "A few months after he began
22 working at SpaceX, Mr. Juarez
23 developed symptoms of migraine
24 headaches, dizziness, difficulty
25 walking, and sinus symptoms due

12:18:36

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1 knowing. I speculated that that could be the cause of
2 that. Okay? I later found that out after I got the
3 MSDS from SpaceX that -- and I forward that to my
4 workers' compensation lawyer, they did the
5 discoveries.

12:46:28

6 BY MR. CATALONA:

7 Q Okay. If you didn't think that the Arathane
8 and the HumiSeal could have caused your problems, why
9 did you ask for the MSDS sheets for Arathane and
10 HumiSeal?

12:46:42

11 A Again, we talk about this before. This is
12 the -- I don't know how many times -- ten times you
13 have asked me the same question. And I told you that
14 at the beginning, I thought the bath wash was a
15 problem. We established that; right? There's no

12:46:56

16 doubt about that. And we established also that the
17 bath wash was installed on the second conformal
18 coating, not in the first conformal coating. Right?
19 The first conformal coating, there was no bath wash
20 right next to me. In the second conformal coating,

12:47:12

21 there was a bath wash.

22 So I thought there were chemicals in there
23 that might be the cause of my problems. Down the line
24 after the lawyer did the discoveries, they found out
25 on the bath wash, it was just isopropyl alcohol. And

12:47:37

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1 the solder was just lead-free solder wire.

2 Q If that's all you thought, then why did you
3 ask about Arathane and HumiSeal?

4 A And then I didn't know what they were using.
5 So I called Francisco. And I told you this, like, ten
12:47:57

6 times already. This is the tenth time I told you that
7 during that phone conversation, I asked him about the
8 specific name of the alcohol. And I'm not quite sure
9 whether he provide or I ask, I don't know how it came
10 about that he gave me the rest of the chemicals.

12:48:13

11 That was during the -- you mentioned that in
12 one of your papers that you gave me. You asked me
13 this question before. You said oh, but you say here,
14 you sent an e-mail asking the HR department for this,
15 and I said yes. And it's in the record. I said I had

12:48:33

16 a conversation with Francisco.

17 Q Right.

18 A And I said hey, you know what, I'm having
19 this problem. HR is not cooperating with me. I need
20 to find out. Can you do me a favor and find out what

12:48:50

21 kind of alcohol they using. So I don't know if he put
22 me on hold. It's been a while since we had this
23 conversation. Either he put me on hold or whatever,
24 and he went and asked and he told me oh, they're using
25 only alcohol.

12:49:09

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1 And I said you know what else they might be
2 using? He said -- and this is where I'm not quite
3 sure whether he offer or it was a conversation and all
4 these chemicals came up. And that's how I -- and at
5 that time, I wrote this e-mail and I wrote that down,
12:49:27

6 wrote the list -- handwrote the list, and then after
7 that, I mailed it to HR.

8 Q Okay. So I get why you asked about alcohol
9 to HR. Why did you ask about HumiSeal and Arathane?

10 A Again, I don't know how it came about, the
12:49:46

11 conversation with Francisco. Francisco worked in
12 the -- just on the -- hang on. Hang on. Let me
13 answer your question.

14 Q I heard that. I'm asking a different
15 question now.

12:50:01

16 A But you're saying you don't know why. He
17 works in the conformal coating area. So he sees me
18 all the time there. Okay? So he said do you want me
19 to give you -- I don't know if he said do you want me
20 to give you or I said -- I don't know how the

12:50:15

21 conversation came about. But he provide me with this.
22 I didn't know -- at this time, we were not in good
23 terms -- I was not in good terms with SpaceX. They
24 were not trying to give any anything. Okay?

25 Even if you see that here, they say we'll

12:50:34

1 send it to your attorney. Okay? Because I ask them
2 can you please provide -- I talked to -- over the
3 phone with one of the reps in HR, I'm not quite sure
4 if it was Heather or one of them, but I asked them can
5 you please provide me with a list of chemicals that I

12:50:54

6 interface. And they said what chemicals? I don't
7 remember what was -- they were not willing to do it.

8 So I contact Francisco, and he was the one
9 who provide me with -- I said hey, do you know what
10 kind of alcohol or chemical they use in the bath. And

12:51:09

11 he say oh, they're just alcohol or whatever. And he
12 said by the way, you want me to give you the rest? I
13 don't know how it came about. I don't know the exact
14 conversation that I had with him.

15 So I wrote it down and I sent this e-mail

12:51:25

16 for them to provide me with the MSDS. After I go
17 about this, I sent it over to my workers' compensation
18 for discovery.

19 Q Okay.

20 A I'm being very clear. I mean, I don't know

12:51:36

21 how much clear --

22 Q You're not being clear.

23 A What you want me to --

24 Q Wait, wait. Sir, don't interrupt. You
25 asked about the alcohol because you thought you were

12:51:45

1 being exposed to alcohol.

2 A I asked --

3 Q Wait. Wait. Wait. Is that true? Can you
4 answer that without explaining, without spending two
5 paragraphs explaining?

12:51:58

6 A I have to explain to you. I didn't know
7 what was in the bath wash. Do we understand that?

8 Q No, we don't, actually. Because this just
9 says -- let me just read this.

10 "Hello, Jane. I need a copy of

12:52:12

11 the following MSDS. How do I
12 need to contact to obtain them?
13 1, Arathane two-part mix; 2,
14 thinner 521; 3, 63-37 eutectic
15 solder wire; 4, HumiSeal 1A33

12:52:26

16 conformal coating; 5, isopropyl
17 alcohol (IPA). Thank you."

18 So you asked for MSDS information for all
19 five of those chemicals.

20 A Correct.

12:52:41

21 Q And you asked for the isopropyl alcohol
22 because you thought you had been exposed to it.

23 A Not precisely for that particular chemical.
24 I asked Francisco what do they use on the chemical
25 bath wash area to clean the parts. I didn't know what

12:53:01

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1 they used. I never clean it.

2 Q That's a different thing.

3 A It is part of it.

4 Q No. I'm not asking about Francisco. I'm
5 asking about your e-mail to Jane.

12:53:12

6 A Yes, sir.

7 Q So the reason you wanted these parts --
8 strike that.

9 The reason you wanted the information on
10 these substances is that your doctor that we were just

12:53:21

11 talking about said he thought you could have toxic
12 exposure, and he said we need to get the MSDS sheets.
13 So you went to HR and said what are the MSDS sheets so
14 you could find out if there was toxic exposure.

15 A You're making an assumption. I'm telling

12:53:44

16 you what I remember. You're saying the doctor told
17 you this, so you must have done this.

18 Q No. I'm saying that's what the doctor --

19 A But this --

20 Q Hold on.

12:53:52

21 MS. LI: Lacks foundation. Lacks
22 foundation. We haven't established that's what the
23 doctor told him.

24 THE WITNESS: Here it is, Mr. Catalona.

25 ///

12:54:23

1 Certification of Court Reporter

2 Federal Jurat

3
4 I, the undersigned, Certified Shorthand
5 Reporter of the State of California, do hereby
6 certify:

7 That the foregoing proceedings were taken before
8 me at the time and place herein set forth; that any
9 witnesses in the foregoing proceedings, prior to
10 testifying, were placed under oath; that a verbatim
11 record of the proceedings was made by me using machine
12 shorthand which was thereafter transcribed under my
13 direction; further, that the foregoing is an accurate
14 transcription thereof.

15 That before completion of the deposition, a review
16 of the transcript [] was [X] was not requested.

17 I further certify that I am neither financially
18 interested in the action nor a relative or employee of
19 any attorney of any of the parties.

20
21 IN WITNESS WHEREOF I have hereunto subscribed my
22 name on March 28, 2018.

23
24 

25 Elizabeth Schmidt, CSR No. 13598

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